

HOUSE BILL No. 2087

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-33-5; IC 31-33-8; IC 31-33-10.

Synopsis: Child protection system. Requires an individual reporting that a child may be a victim of child abuse or neglect to include in the report the individual's name, address, and telephone number. Requires an individual receiving the report to verify the reporter's telephone number. Limits the types of information that may be included in the report. Requires that most physical examinations in cases of alleged child abuse or neglect must be conducted by a licensed physician in a licensed health care facility. Specifies who may take photographs in cases of alleged child abuse or neglect, how the photographs must be stored, and to whom the photographs must be made available. Requires that photographs taken as a result of an unsubstantiated report of

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Effective: July 1, 1999.

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January 27, 1999, read first time and referred to Committee on Public Health.



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Digest Continued

alleged child abuse or neglect must be destroyed immediately after the report is determined to be unsubstantiated.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 2087

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-33-5-5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 5. An individual making a report under this chapter**
4 **must include in the report the individual's name, address, and**
5 **telephone number.**

6 SECTION 2. IC 31-33-5-6 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 1999]: **Sec. 6. An individual receiving a report under this chapter**
9 **on behalf of the local child protection service or law enforcement**
10 **agency shall immediately verify the identity of the individual**
11 **making the report by:**

12 (1) calling the telephone number provided by the individual
13 making the report; and
14 (2) confirming the telephone number by checking a telephone
15 directory or other appropriate resource.



The local child protection service or law enforcement agency may not accept a report that is not verified as described in this section.

SECTION 3. IC 31-33-5-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 7. A report submitted under this section is limited to the following:**

(1) **Personal observations by the individual submitting the report of acts of child abuse or neglect.**

(2) **Physical evidence of child abuse or neglect observed by the individual submitting the report.**

(3) **Statements made directly to the individual submitting the report by a victim or eyewitness of child abuse or neglect.**

SECTION 4. IC 31-33-8-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 3.5. (a) A physical examination of a child that involves removal of clothing or exposure of the child's torso, abdomen, back, buttocks, genitals, or upper legs must be conducted by a licensed physician in a licensed health care facility.**

(b) **Notwithstanding section 3 of this chapter, a photograph made to record the condition of a child under this chapter must be:**

(1) **made by a licensed member of the health care facility staff; and**

(2) **signed, dated, and numbered by the person who photographs the child.**

(c) **Each photograph under this chapter must be:**

(1) **stored with the child's file; and**

(2) **available to the accused and the child's parents on request.**

SECTION 5. IC 31-33-8-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 12. (a) Upon completion of an investigation, the local child protection service shall classify reports as substantiated or unsubstantiated.**

(b) **A photograph made as a result of an unsubstantiated report must be destroyed immediately after the report is determined to be unsubstantiated.**

SECTION 6. IC 31-33-10-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 4. A physical examination of a child that involves removal of clothing or exposure of the child's torso, abdomen, back, buttocks, genitals, or upper legs must be conducted by a licensed physician in a licensed health care facility.**

SECTION 7. IC 31-33-10-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

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1, 1999]: **Sec. 5. (a) A photograph made to record the condition of a child under this chapter must be:**

(1) made by a licensed member of the health care facility staff; and

(2) signed, dated, and numbered by the person who photographs the child.

(b) Each photograph under this section must be:

(1) stored with the child's file; and

(2) available to the accused and the child's parents on request.

SECTION 8. IC 31-33-10-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 6. A photograph made as a result of an unsubstantiated report must be destroyed immediately after the report is determined to be unsubstantiated.**

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